

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 24-11967 (JKS)

(Jointly Administered)

Re: D.I. 13, 650 & 1231

**SUPPLEMENTAL CERTIFICATION OF COUNSEL REGARDING AGREED ORDER
PURSUANT TO SECTIONS 363 AND 365 OF THE BANKRUPTCY CODE
AUTHORIZING THE DEBTORS-IN-POSSESSION TO ASSUME, ASSIGN AND SELL
ITS UNION, NEW JERSEY REAL PROPERTY LEASE FOR STORE NO. 4720**

The undersigned counsel to the above-captioned debtors and debtors in possession (the “**Debtors**”) hereby certifies as follows:

1. On September 9, 2024 (the “**Petition Date**”), the Debtors each filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532, and related pleadings with the United States Bankruptcy Court for the District of Delaware.

2. On the Petition Date, the Debtors filed the *Motion of Debtors for Entry of Interim and Final Orders (I) Establishing Procedures To Sell Certain Leases, (II) Approving the Sale of Certain Leases, and (III) Granting Related Relief* (the “**Motion**”)² (D.I. 13).

¹ The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors’ corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

² Capitalized terms not defined herein have the meaning ascribed to them in the Motion.

3. On October 29, 2024, the Court entered the *Third Interim Order (I) Establishing Procedures to Sell Certain Leases (II) Approving the Sale of Certain Leases and (III) Granting Related Relief* (D.I. 650).

4. On November 7, 2024, the Debtors conducted a virtual Lease Auction with respect to certain of the Lease Assets, including the real property lease for Store No. 4270, located at 2700 US Highway 22, Union, NJ 07083 (the “**Union, NJ Lease**”).

5. Following the Lease Auction, the Debtors continued to negotiate the proposed sale of the Union, NJ Lease.

6. On November 22, 2024, the Court entered the *Order Pursuant to Sections 363 and 365 of the Bankruptcy Code Authorizing the Debtors-in-Possession to Terminate or Assume, Assign and Seel Certain Non-Residential Real Property Leases* (the “**November Lease Sale Order**”) with respect to the November lease sales. The November Lease Sale Order specifically excluded the sale of the Union, NJ Lease while the parties continued to negotiate the terms of the sale for that property.

7. Counsel to the Debtors, DT Route 22 Retail LLC as the landlord for the Union, NJ Lease (the “**Landlord**”), and Dick’s Sporting Goods, Inc. as purchaser (the “**Purchaser**”) have agreed on a form of order approving the assumption and assignment of the Union, NJ Lease to the Purchaser (the “**Agreed Order**”). On November 27, 2024, the Debtors submitted the Agreed Order under certification of counsel (D.I. 1261).

8. In response to comments received from the Court, the Debtors have subsequently revised the Agreed Order. A copy of the revised order is attached hereto as **Exhibit 1**. Counsel for the Landlord and the Purchaser have reviewed the revised order and do not object to its entry.

9. For the convenience of the Court and all parties in interest, a redline of the revised order against the initially filed Agreed Order is attached hereto as **Exhibit 2**.

WHEREFORE, the Debtors respectfully request entry of the revised order attached hereto as **Exhibit 1**.

Dated: December 5, 2024
Wilmington, Delaware

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